



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA
:
- v. -
:
IVELISSE ROQUE SANTANA,
a/k/a "Nuni,"
RICARDO ISAAC ROQUE,
a/k/a "Ricardo Fatule,"
a/k/a "Ricky,"
a/k/a "Gordo,"
FLOR SOTO,
a/k/a "Flor Cordones,"
JHONNY JIMENEZ,
a/k/a "Alex Lopez,"
LEIDI LUISA MEDINA,
SENDY BAEZ,
ELIANA SARMIENTO,
a/k/a "Yamily,"
RAFAELA MUNOZ, and
ROCIO ALMONTE,
:
Defendants.
:
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~~PROPOSED~~ KMW
PROTECTIVE ORDER

13 Cr. 147 (KMW)

KIMBA M. WOOD, District Judge:

WHEREAS the Government intends to produce to IVELISSE ROQUE SANTANA, RICARDO ISAAC ROQUE, FLOR SOTO, JHONNY JIMENEZ, LEIDI LUISA MEDINA, SENDY BAEZ, ELIANA SARMIENTO, RAFAELA MUNOZ, and ROCIO ALMONTE, the defendants, certain discovery materials pursuant to Federal Rule of Criminal Procedure 16 ("Rule 16"), Title 18, United States Code, Section 3500, *Brady v. Maryland*, and/or *United States v. Giglio*, which contain and/or reflect personal identification information (including but not limited

to names, social security numbers, dates of birth, home addresses, telephone numbers, bank account information, and other financial information); and

WHEREAS pursuant to Rule 16(d)(1) and Title 18, United States Code, Section 3771, the Government desires to protect the confidentiality of the personal identification information contained in the materials it produces; and for good cause shown;

IT IS HEREBY ORDERED:

1. Discovery material produced by the Government to any of the defendants in this action that contains and/or reflects personal identification information (including but not limited to names, social security numbers, dates of birth, home addresses, telephone numbers, bank account information, and any other financial information) -- whether in paper or electronic form -- is deemed "Confidential Material."

2. Confidential Material disclosed to either defendant, or to a defendant's attorney, during the course of proceedings in this action:

(a) shall be used by the defendants or their counsel only for purposes of this action;

(b) shall be kept in the sole possession of the defendants' counsel;

(c) shall not be reviewed or maintained by the defendants outside the presence of their counsel;

(d) shall not be copied or otherwise recorded by IVELISSE ROQUE SANTANA, RICARDO ISAAC ROQUE, FLOR SOTO, JHONNY JIMENEZ, LEIDI LUISA MEDINA, SENDY BAEZ, ELIANA SARMIENTO, RAFAELA MUNOZ, and ROCIO ALMONTE, the defendants;

(e) shall not be disclosed in any form by the defendants or their counsel except as set forth in paragraph 2(f) below;

(f) may be disclosed only by the defendants' counsel and only to the following persons (hereinafter "Designated Persons"):

(i) investigative, secretarial, clerical, paralegal, and student personnel employed full-time or part-time by the defendants' counsel;

(ii) independent expert witnesses, investigators, or advisors retained by the defendants or on their behalf in connection with this action; and

(iii) such other persons as hereafter may be authorized by the Court upon a motion by either defendant; and

(g) shall be either (i) returned to the Government following the conclusion of this case, together with

any and all copies thereof, or (ii) destroyed together with any and all copies thereof, with defendants' counsel verifying in writing to the Government that such destruction has taken place.

3. The defendants and their counsel shall provide a copy of this Order to Designated Persons to whom Confidential Material is disclosed pursuant to paragraph 2(f). Designated Persons shall be subject to the terms of this Order.

4. The provisions of this Order shall not be construed as preventing the disclosure of any information in any motion, hearing, trial, or sentencing proceeding held in this action, or to any judge or magistrate of this Court for purposes of this action.

IT IS SO ORDERED.

Dated: New York, New York
January 6, 2014

Kimba M. Wood
HONORABLE KIMBA M. WOOD
United States District Judge